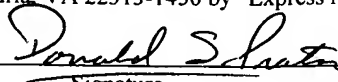


Date: June 25, 2004 Label No. EV428579515US. I hereby certify that, on the date indicated above, I deposited this paper with identified attachments and/or fee with the U.S. Postal Service and that it was addressed for delivery to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 by "Express Mail Post Office to Addressee" service.

Donald S. Prater
Name (Print)


Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | |
|-----------------------------------|---|------------------------------|
| In re Application of: ENDO et al. |) | Examiner: Unassigned |
| |) | |
| Application No.: Unassigned |) | Group Art Unit: Unassigned |
| |) | |
| Filed: June 25, 2004 |) | Confirmation No.: Unassigned |
| |) | |
| Docket No.: 3190-059 |) | Customer No. 33432 |

For: NUCLEOTIDIC SEQUENCE HAVING TRANSLATION EFFICIENCY
REGULATORY ACTIVITY AND USE THEREOF

PRELIMINARY AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

June 25, 2004

Sir:

Prior to payment of the filing fees and examination of the above-identified application on the merits, the applicants respectfully request that the application be amended as follows:

Amendments to the Specification begin on page 2 of this paper.

Amendments to the Claims are reflected in the listing of claims which begins on page 3 of this paper.

Remarks/Arguments begin on page 6 of this paper.